

SENATE BILL NO. 232

BY SENATORS MOUNT, MARIONNEAUX AND THOMPSON

A JOINT RESOLUTION

Proposing to amend Article IV, Section 21(A), Article VIII, Sections 3(B), 5(B), 6(B), 7(B), and 7.1(B), Article IX, Section 8(B), and Article X, Sections 3(B) and 43(B) and to add Article IV, Section 22 of the Constitution of Louisiana, relative to term limits for members of certain boards and commissions; to provide for a limitation on service for members of the Public Service Commission, the State Board of Elementary and Secondary Education, the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors of Community and Technical Colleges, the Louisiana Forestry Commission, the State Civil Service Commission, and the State Police Commission; to provide for a similar limit on service on more than one such board; to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article IV, Section 21(A), Article VIII, Sections 3(B), 5(B), 6(B), 7(B), and 7.1(B), Article IX, Section 8(B), and Article X, Sections 3(B) and 43(B) and to Article IV, Section 22 of the Constitution of Louisiana, to read as follows:

ARTICLE IV. EXECUTIVE BRANCH

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§21. Public Service Commission

Section 21.(A)~~(1)~~ Composition; Term; Domicile. There shall be a Public Service Commission in the executive branch. It shall consist of five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. ~~Each commissioner serving on the effective date of this constitution shall be the commissioner for the new district in which he resides and shall complete the term for which he was elected.~~ The commission annually shall elect one member as chairman. It shall be domiciled at the state capital, but may meet, conduct investigations, and render orders elsewhere in this state.

(2) No person who has served as a member of the commission for more than two and one-half terms in three consecutive terms shall be elected to the commission for the succeeding term. This Subparagraph shall not apply to any person elected to the commission prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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§22. Term Limits; Certain Boards and Commissions

(A) A person who has served as a member of any one or more of the following boards or commissions for more than two and one-half terms in three consecutive terms combined shall not serve as a member of any of the following boards or commissions for a period of at least two years after the completion of such consecutive terms of service:

(1) The Public Service Commission.

(2) The State Board of Elementary and Secondary Education.

(3) The Board of Regents.

(4) The Board of Supervisors for the University of Louisiana System.

(5) The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

(6) The Board of Supervisors of Southern University and Agricultural and Mechanical College.

(7) The Board of Supervisors of Community and Technical Colleges.

(8) The Forestry Commission.

(9) The State Civil Service Commission.

(10) The State Police Commission.

(B) This Section shall not apply to any person who is serving on any such board or commission on the effective date of this Section, except that it shall apply to any term of service of any such person that begins after such date.

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ARTICLE VIII. EDUCATION

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§3. State Board of Elementary and Secondary Education

Section 3.

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(B)(1) Membership; Terms. The board shall consist of eleven members, eight of whom shall be elected from single-member districts, which shall be determined as provided by law, and three of whom shall be appointed by the governor from the state at large, with consent of the Senate. Members shall serve terms of four years, which shall be concurrent with the term of the governor.

(2) No person who has served as a member of the board for more than two and one-half terms in three consecutive terms shall be elected or appointed to the board for the succeeding term. This Subparagraph shall not apply to any person elected or appointed to the board prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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§5. Board of Regents

Section 5.

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(B)~~(1)~~ Membership; Terms. The board shall be composed of two members from each congressional district and one from the state at large appointed by the governor, with consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law. The board should be representative of the state's population by race and gender to ensure diversity.

(2) No person who has served as a member of the board for more than two and one-half terms in three consecutive terms shall be appointed to the board for the succeeding term. This Subparagraph shall not apply to any person appointed to the board prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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§6. Board of Supervisors for the University of Louisiana System

Section 6.

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(B)~~(1)~~ Membership; Terms. The board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(2) No person who has served as a member of the board for more than two and one-half terms in three consecutive terms shall be appointed to the board for the succeeding term. This Subparagraph shall not apply to any person appointed to the board prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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§7. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College

Section 7.

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(B)(1) Membership; Terms. Each board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(2) No person who has served as a member of either board for more than two and one-half terms in three consecutive terms shall be appointed to the board for the succeeding term. This Subparagraph shall not apply to any person appointed to either board prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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§7.1. Board of Supervisors of Community and Technical Colleges

Section 7.1.

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(B)(1) Membership; Terms; Initial Membership and Terms. The board shall be composed of fifteen members appointed by the governor, as provided by law. In addition, the board shall have two student members as provided by law. All members selected and appointed by the governor shall be appointed with the consent of the Senate. Of those members selected and appointed by the governor, there shall be two members from each congressional district and the remaining member or members from the state at large. The board should be representative of the state's population by race and gender to ensure diversity. The members selected and appointed by the governor shall serve terms of six years, except that the initial members shall serve terms as provided by law.

(2) No person who has served as a member of the board for more than two and one-half terms in three consecutive terms shall be appointed to the board for the succeeding term. This Subparagraph shall not apply to any person appointed to the board prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins

after such date.

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ARTICLE IX. NATURAL RESOURCES

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§8. Forestry

Section 8.

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(B)(1) Forestry Commission. The practice of forestry is placed under the Louisiana Forestry Commission. The commission shall be in the executive branch and shall consist of seven members. The head of the Department of Forestry at Louisiana State University and Agricultural and Mechanical College and the director of the Wildlife and Fisheries Commission shall serve ex officio as members. The governor shall appoint the remaining five members, subject to confirmation by the Senate, for overlapping terms of five years, as provided by law.

(2) No person who has served as an appointed member of the commission for more than two and one-half terms in three consecutive terms shall be appointed to the commission for the succeeding term. This Subparagraph shall not apply to any person appointed to the commission prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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ARTICLE X. PUBLIC OFFICIALS AND EMPLOYEES

PART I. STATE AND CITY CIVIL SERVICE

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§3. State Civil Service Commission

Section 3.

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(B)(1) Appointment. The members shall be appointed by the governor, as hereinafter provided, for overlapping terms of six years.

(2) No person who has served as a member of the commission for more

than two and one-half terms in three consecutive terms shall be appointed to the commission for the succeeding term. This Subparagraph shall not apply to any person appointed to the commission prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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PART IV. STATE POLICE SERVICE

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§43. State Police Commission

Section 43.

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(B)(1) Appointment. The members shall be selected, as hereinafter provided, for terms of six years, after initial terms of one year, two years, three years, four years, five years, and six years for the appointed members, as designated by the governor, and six years for the elected member.

(2) No person who has served as a member of the commission for more than two and one-half terms in three consecutive terms shall be appointed or elected to the commission for the succeeding term. This Subparagraph shall not apply to any person appointed or elected to the commission prior to the effective date of this Subparagraph, except that it shall apply to any term of service of any such person that begins after such date.

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Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 4, 2008.

Section 3. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

To provide for term limits for members of the Public Service Commission,

1 the State Board of Elementary and Secondary Education, the Board of
2 Regents, the Board of Supervisors for the University of Louisiana System,
3 the Board of Supervisors of Louisiana State University and Agricultural and
4 Mechanical College, the Board of Supervisors of Southern University and
5 Agricultural and Mechanical College, the Board of Supervisors of
6 Community and Technical Colleges, the Louisiana Forestry Commission, the
7 State Civil Service Commission, and the State Police Commission; to
8 provide that a person who has served for more than two and one-half terms
9 in three consecutive terms shall not be appointed or elected to the succeeding
10 term; and to provide for a limit on service on more than one such board or
11 commission. (Amends Article IV, Section 21(A), Article VIII, Sections
12 3(B), 5(B), 6(B), 7(B), and 7.1(B), Article IX, Section 8(B), and Article X,
13 Sections 3(B) and 43(B); Adds Article IV, Section 22)

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES